

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JULY 21, 2025, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

## **PUBLIC NOTICE**

### **ENVIRONMENTAL PROTECTION**

### **WATERSHED AND LAND MANAGEMENT**

### **OFFICE OF POLICY AND TECHNICAL DEVELOPMENT**

#### **Proposed Amendment to the Northeast Water Quality Management Plan**

**Take notice** that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed amendment to the Northeast Water Quality Management (WQM) Plan in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The proposed amendment, identified as the Green Brook Country Club (Program Interest No. 435442, Activity No. AMD240002), is for a proposed residential development of 502 units on the existing Green Brook Country Club site. The development will consist of 150 single family homes and 35 affordable apartment units (17 being age-restricted) on Block 2101, Lot 8.03 and Block 2003, Lot 1 in Fairfield Township, Essex County and 267 single family age-restricted townhouses, 50 affordable apartments (25 being age-restricted) and a clubhouse with a pool located on Block 1600, Lot 1, in North Caldwell Borough, in Essex County. The proposed project will expand the Pequannock, Lincoln Park and Fairfield Sewerage Authority (Two Bridges) (TBSA) Sewer Service Area (SSA) by including 111.92 acres of the Green Brook Country Club Golf Course site that is not currently located within the adopted SSA, as well as transfer 24.02 acres of adopted SSA from the Caldwell Borough Sewage Treatment Plant (STP) to the TBSA STP located in Morris County. Block 1902, Lots 12 and 13 in Fairfield Township will remain in the Caldwell Borough STP SSA. The total

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projected flow for this project, to be served by the TBSA, calculated in accordance with N.J.A.C. 7:14A-23.3, is 140,415 gallons per day (gpd).

This notice represents the Department's determination that the proposed amendment is compliant with the applicable regulatory criteria at N.J.A.C. 7:15, as described below.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to proposed alterations to the eligible SSA needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site specific amendments proposing to add 100 or more acres, or generating 20,000 gpd or more of wastewater flow, shall include a proposed modification to the wastewater treatment capacity analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the proposed project or activity. The proposed project involves more than 100 acres and would generate 20,000 gpd or more of wastewater flow and is thus subject to a wastewater capacity analysis. The purpose of the analysis is to demonstrate that TBSA has the available capacity to service the project. In accordance with N.J.A.C. 7:15-4.5(b)1, the existing wastewater flow of the TBSA is the highest consecutive 12-month rolling average during the most recent five-year period preceding the amendment application, which was calculated to be 7.178 million gallons per day (mgd) between May 2023 and April 2024 based on New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge Monitoring Reports reported in DEP Data Miner (<https://njems.nj.gov/DataMiner>). TBSA is currently permitted to discharge up to 7.5 mgd under NJPDES permit NJ0029386. TBSA has confirmed in a letter dated April 3, 2025, that after accounting for the existing and currently committed but unconnected flows, they can accommodate the wastewater from this project without exceeding permitted capacity or impacting operational reliability.

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Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSA, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k), and (l): environmentally sensitive areas (ESAs) identified pursuant to N.J.A.C. 7:15-4.4(e), as any contiguous area of 25 acres or larger consisting of any of the following, alone, or in combination: endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their tributaries, or wetlands; coastal planning areas identified at N.J.A.C. 7:15-4.4(f), and ESAs subject to 201 Facilities Plan grant conditions pursuant to N.J.A.C. 7:15-4.4(g). The Department conducted an evaluation of the project site using a GIS shapefile provided by the applicant compared to the Department's GIS data layers available at <https://gisdata-njdep.opendata.arcgis.com> and/or other information as noted below, to determine the presence of any such areas in accordance with N.J.A.C. 7:15-4.4(e), (f), and (g) and made the following findings:

- The Department determined that the proposed SSA does not contain any areas mapped as endangered or threatened wildlife species habitat Rank 3, 4, or 5 on the Department's Landscape Maps of Habitat for Endangered, Threatened or Other Priority Wildlife based on the "Landscape Project Data" Version 3.4 GIS data layers, in accordance with N.J.A.C. 7:15-4.4(e)1.
- The Department determined that the proposed SSA does not contain any areas mapped as Natural Heritage Priority Sites based on the "Natural Heritage Priority Sites" GIS data layer, in accordance with N.J.A.C. 7:15-4.4(e)2.
- The Department determined that the proposed SSA does not contain any C1 waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC-14

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watershed of any C1 waters based on the “Surface Water Quality Standards” GIS data layer, in accordance with N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.

- The Department determined that there are wetlands located on the project site based on the “Wetlands 2020” GIS data layer, in accordance with N.J.A.C. 7:15-4.4(e)4; however, pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant provided a Freshwater Wetlands Letter of Interpretation (LOI)/Line Verification File #0700-21-0002.1 FWW 210001 confirming that there are no wetlands within the proposed sewer service area.
- The Department determined that the proposed SSA does not contain any areas mapped as Fringe Planning Areas, Rural Planning Areas, or Environmentally Sensitive Planning Areas within the Coastal Area Facility Review Act (CAFRA) zone based on the “CAFRA (polygon)” GIS layer and the “State Plan Data” GIS layer, in accordance with N.J.A.C. 7:15-4.4(f).
- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project based on the U.S. Environmental Protection Agency (USEPA) list of New Jersey Grantees with ESA Grant Conditions at <https://www.epa.gov/npdes-permits/environmentally-sensitive-area-esa-grant-condition-waiver-program-region-2> in accordance with N.J.A.C. 7:15-4.4(g).

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in adopted zoning ordinances, future land uses shown in adopted municipal and county master plans, and other local land use objectives. Fairfield Township adopted Ordinance #2019-15, which established an Inclusionary Residential Overlay (IRO) Zone on July 22, 2019, and in a letter dated May 14, 2025, stated that the proposed amendment is consistent with the master plan and zoning of Fairfield Township. The Borough of North Caldwell adopted Ordinance 0-25-2023 on

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December 19, 2023, which established a Senior IRO (SIRO) Zone. The Essex County Planning Department issued a letter dated March 18, 2024, stating that the proposed project is consistent with the Essex County Plan and the County planning objectives and goals.

This notice is to inform the public that a plan amendment has been proposed for the Northeast WQM Plan. All information related to this plan and the proposed amendment is located at:

New Jersey Department of Environmental Protection  
Watershed and Land Management  
Office of Policy and Technical Development  
Water Quality Management Planning Unit  
PO Box 420, Mail Code 501-02A  
501 East State Street  
Trenton, New Jersey 08625-0420

The Department's file is available for inspection between 9:00 A.M. and 4:00 P.M., Monday through Friday, upon request. An appointment to inspect the file must be arranged by calling the Office of Policy and Technical Development at (609) 633-7021.

Interested persons may submit written comments on the proposed amendment to the Department at the address cited above or at the email: [wqmp.publiccomments@dep.nj.gov](mailto:wqmp.publiccomments@dep.nj.gov). Comments should reference Program Interest No. 435442, Activity No. AMD240002 and must be submitted within 30 days of the date of this public notice.

Interested persons may request, in writing, that the Department hold a nonadversarial public hearing on the amendment or extend the public comment period specified in this notice.

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Such requests should reference Program Interest No. 435442, Activity No. AMD240002 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined at N.J.A.C. 7:1D-5.2(d). The request must be submitted within 30 days of the date of this notice to the Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published in a future issue of the New Jersey Register and the comment period will be extended to 15 days after the public hearing. All comments submitted prior to the close of the comment period shall be considered by the Department before making a final decision on the proposed amendment.

Sewer service is not guaranteed should this amendment be adopted as it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA as a result of the approval of this amendment does not eliminate the need to obtain all necessary permits, approvals, or certifications required by any Federal, State, county, or municipal review agency with jurisdiction over this project/activity.

06/09/2025

Date

Signed

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Jason Kane, Assistant Director  
Office of Policy and Technical Development  
Watershed & Land Management  
New Jersey Department of Environmental Protection